THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.3467 OF 2006

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Dated: 23-02-2006

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Between

Kammari Brahmaiah S/o. K. Buchaiah, Occ: Agriculture,

R/o. Pulmamidi Village, Nawabpet Mandal, Rangareddy District.

...PETITIONER

AND

The Joint Collector, at Lakdi-Ka-Pool, Rangareddy District

and two others.

...RESPONDENTS

ORDER:

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Petitioner seeks to issue a Writ of Mandamus to declare the action of the respondents in dismissing the appeal at threshold without giving any opportunity of hearing him and the consequential refusal of the first respondent to issue a copy of the dismissal orders as being illegal and arbitrary and to set aside the docket order dated 06.11.2005 in File No.F1/5426 of 2005.

Learned counsel for the petitioner submits that as against the order passed by the Revenue Divisional Officer, Vikarabad Division/ second respondent dated 08.10.2002 in proceedings No.D/1409/2001 showing the third respondent as the occupant of the land in an extent of Ac.2.02 guntas situated in S.No.17/E of Pulmamidi Village of Nawabpet Mandal, Ranga Reddy District, the petitioner filed an appeal before the Joint Collector, Ranga Reddy District, which was dismissed by docket order dated 06.11.2005 in File No.F1/5426/2005.

The petitioner filed an application to furnish the certified copy of the said docket order, but the said application has not been considered and the Administrative Officer of the Collectorate, Ranga Reddy District issued a Memo No.A6/325/2005 dated 09.01.2006 informing the counsel of the petitioner that the docket order dated 06.11.20o5 cannot be issued.

I am of the opinion that when the advocate of the petitioner wants the certified copy of the said docket order so as to enable the petitioner to take appropriate steps either to set aside the docket order or challenge the same in an appropriate proceedings, there cannot be any justification on the part of office of the first respondent in refusing the said request.

Accordingly, the memo dated 09.01.2006 is set aside and the first respondent is directed to furnish the certified copy of the docket order dated 06.11.2005 in File No.F1/5426.2005 on payment of the usual charges.

The writ petition is accordingly disposed of.

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V. ESWARAIAH, J

February 23, 2006

SHR